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Attorneys for Plaintiff Lisa Black

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS**

LISA BLACK,)	CIVIL ACTION NO. 05-0038
)	
Plaintiff,)	
)	
vs.)	
)	MOTION TO AMEND COMPLAINT
JIM BREWER, individually and in his)	
official capacity as Acting Principal for)	Date:
Hopwood Junior High School,)	Time:
COMMONWEALTH OF THE NORTHERN)	Judge:
MARIANA ISLANDS PUBLIC SCHOOL)	
SYSTEM, and JOHN AND/OR JANE DOE,)	
)	
Defendants.)	

MOTION

Plaintiff, through counsel, hereby moves the Court for an order allowing said Plaintiff to amend the Complaint. The amendment seeks to clarify an ambiguity in Plaintiff's Complaint that is in direct conflict with the information gathered during the course of discovery. This motion to amend Plaintiff's Complaint is made pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, and is based on the Memorandum, the attached Proposed First Amended Complaint, and records on file herein together with any and all arguments to be adduced at the hearing.

1 Alternatively, Plaintiff moves this Court to reconsider its Order granting Partial
2 Summary Judgment as to Plaintiff's first two causes of action. This Court's sole basis for
3 granting Defendant's Motion as to these causes of action was the language of Plaintiff's
4 Complaint. In essence, this Court granted judgment on the pleadings and did not consider any
5 of the depositions, answers to interrogatories, admissions on file or affidavits conducted and
6 gathered over the course of discovery as required under Rule 56(c) of the Federal Rules of Civil
7 Procedure. Since this was, in effect, a judgment on the pleadings, Plaintiff should be given the
8 opportunity to amend her Complaint (*see* above) or this Court should reconsider the Motion for
9 Summary Judgment and consider all information gathered during discovery.
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12 WHEREFORE, Plaintiff requests that this Court grant Plaintiff leave to file an Amended
13 Complaint against Defendants, or in the alternative, reconsider its Order granting Partial
14 Summary Judgment.
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17 Respectfully submitted January 10, 2007:

18 O'CONNOR BERMAN DOTTS & BANES
19 Attorneys for Plaintiff Lisa Black

20
21 By: /s/ _____
22 GEORGE L. HASSELBACK
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